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AMERICAN PUBLIC OPINION ON THE JOINT
HIGH COMMISSION AND THE TREATY
OF WASHINGTON

BY
HARRY J. SIEVERS, S.J.

A THESIS SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS IN LOYOLA UNIVERSITY

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1947

VITA AUCTORIS

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HISTORICAL BACKGROUND

Irritating indeed was the diplomatic dispute over the "Alabama" claims. Frequently did it threaten to unlock the flood-gates of a third Anglo-American war; but fortunately the saner counsels of 1871 prevailed, so that today the Treaty of Washington is a landmark in the not too glorious history of successful arbitration.¹

Now that the applause for the Geneva Convention has died out, and the salvos of artillery, heralding the victory of peace, are long silent, might it not be profitable to examine the press opinion of those four important months, February, March, April and May, 1871? These months witnessed an exciting game of diplomatic "give and take", a game that resulted in the celebrated Treaty of Washington on May 8, 1871.

American editorial opinion will best be appreciated after a simple resume of those salient facts which caused Anglo-American friction. Mid-way in the Civil War our country was face to face with a grave diplomatic crisis. It grew out of Confederate Commerce destroyers. Southern privateering had proved unsuccessful

1 C.G. Fenwick, International Law, N.Y., 1924; 405, 564.

because it could not be pursued with profit; but if government-operated commerce destroyers should sail the seas, they could be used with devastating effect. The Confederacy, lacking ship-building facilities, turned to the shipyards of England. This was the move that disturbed the calm of Anglo-American relations. In fact it caused a storm of hostility that did not subside until the early 1870's.

The South had not turned to England in vain. Soon the news came that commerce destroyers were sailing secretly from British shipyards. The Lincoln government became alarmed, and rightfully so, because the American Merchant Marine was being driven from the high seas.² Although our Minister to Great Britain, Charles Francis Adams, lost no time in citing to the British the illegalities involved, English statesmen, however, clung tenaciously to a circumvention of their own neutrality law, as the lucrative but illegal trade went on.³

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- 2 T.A. Bailey, A Diplomatic History of the American People, Crofts & Co., New York, 1944; 370. The impact of the Civil War upon the American merchant marine is clearly indicated by F.W. Owsley, King Cotton Diplomacy, 574-576.
- 3 Bailey, op.cit., 371. The problems that faced the British Government in 1861-1865 with regard to "commerce destroyers" being built in her ports are given classic treatment in E.D. Adams, Great Britain and the American Civil War, II, 116-151. See also Brooks Adams, "The Seizure of the Laird Rams", Proceedings of the Massachusetts Historical Society, XLV, 243-333, and for the British viewpoint, see M. Bernard, A Historical Account of the Neutrality of Great Britain during the American Civil War, (London, 1870).

Whether the construction of such ships was contrary to international law is still contested. President Lincoln and his cabinet wanted one thing--strict English neutrality. And it was this that Mr. Adams was instructed to obtain.

In May, 1862, the "Alabama", then known as the "290", was launched at Birkenhead and went off the English coast for an alleged shakedown cruise. The ship never returned. She reached the Azores unmolested. It was here that she received her commission as a Confederate cruiser and was christened the "Alabama". Forthwith she took on armament that made her a formidable man-of-war.⁴

From the time that the "Alabama" and her sister frigates proceeded to "light the skies from Europe to the Far East with the burning hulks of Yankee Merchant-men", the North faced a real crisis. Diplomatic duels between Adams and Lord Russell followed one upon the other. Despite most emphatic protests from our State Department, Downing Street took no action.

4 S.F. Bemis, A Diplomatic History of the U.S., New York, 1936. See Also J.F. Rhodes, A History of the U.S., V.6, 88-89. Bailey (op.cit., 371) remarks that the ship's sides were actually pierced for guns in England and that it was common knowledge among the workmen that she was being constructed for the Confederacy.

English inactivity, however, was confined to the Foreign Office; shipbuilders continued to build for the South. One company⁵ was now perfecting "iron clads" or rams, a naval wedge that may well have opened the blockade, swept the American merchant marine off the sea, and won the Southern war for independence.

But Southern independence was not to be. News reached London of Northern victories at Gettysburg and Vicksburg. This timely success strengthened Adams' hand. Aiming to prevent any "iron clads" from slipping out of British ports, our minister made his oft-quoted declaration to Russell, "It would be superfluous to point out to your Lordship that this is war". The ultimatum was hardly necessary, for already some British statesmen saw the handwriting on the wall. To show good will,⁷ the "iron clads" were purchased by Her Majesty's Government. With this gesture the initial chapter of the "Alabama" diplomacy was closed.

Immediately after the Civil War the general international situation threatened to involve Great Britain in another maritime war, a fact of tremendous importance in the ultimate

5 Lairds, and Co. at Birkenhead. For details see Bailey, op. cit., 371.

6 C.F. Adams, Jr., Charles Francis Adams (N.Y., 1900) 341-348.

7 Note the recurrence of this term as a diplomatic covering for real motives.

settlement of the "Alabama" affair. This factor should be borne in mind as throwing strong light on the progress of the Joint High Commission and the conclusion of the Washington Treaty. Britain was having her difficulties in the Far East with Japan, while at home European complications, incidental to the continental wars and the consolidation of the German empire, made peace all too problematical. It was under such pressing circumstances that thoughtful Englishmen began to realize the blunders made by the home government in handling American affairs during the Civil War.⁸ Among themselves cagey Englishmen "regretted" any unfriendliness to the Union cause and "hoped" that they had not set a precedent for fitting out warships for belligerent nations by benign neutrals. They conjectured, and perhaps rightly, that the seas would swarm with new "Alabamas" to destroy British commerce everywhere, unless a more conciliatory attitude were taken towards settling the "Alabama" claims by arbitration.

Yet despite this fine opportunity for a quick settlement, delay after delay ensued. The incompetency of our diplomatic corps was the main obstacle to satisfactory negotiations. The worst offender in this regard was Reverdy Johnson, our minister

8 Bemis, op.cit., 405.

to Great Britain.⁹ A recital of his antics cannot be included in this brief historical survey; it suffices to say that Johnson was not the man to be in England. What little patriotism and appreciation of the dignity of his position this man did have was often submerged in the flow of good wine.

Before his recall, however, Johnson effected one agreement with the British, the Johnson-Clarendon Convention. It was a treaty despised by the American people and bitterly scorned by the American press. Since not a single provision was made to treat of the "Alabama" claims, let alone the slightest suggestion of an apology, when the treaty was brought before the United States Senate for ratification, it met with instantaneous rejection by the overwhelming vote of 54 to 1.

The rejection of this treaty was one of the first diplomatic moves of the new Grant administration. On the floor of the Senate the sentimental and sometimes fanatically inclined Charles

9 Rhodes, op.cit., 336. For a defense of Johnson see B.C. Steiner's, The Life of Reverdy Johnson, Baltimore, 1914, 236 ff. In the opinion of Watterson, the partisan editor of the Louisville Courier-Journal, (May 26, 1871) "our country was never represented by a more astute or more qualified diplomatist. A man of patrician habits, antecedents and belongings, Reverdy Johnson . . . brilliant statesman, jurists and gentleman (who) . . . will receive justice after death".

Sumner delivered a vitriolic speech in opposition to the proposed treaty.¹⁰ This verbal lashing proved to be a boomerang. Gifted with more vehemence than prudence, Sumner took quite an untenable stand, namely, the annexation of Canada as part compensation for the "Alabama" depredations. He also pressed a most forbidding claim for indirect damages. Such outrageous demands angered England into a forgetfulness of her precarious international situation and all diplomatic negotiations were suspended for several months.

Still the ticklish international situation persisted. With war threatening at every turn, the roaring lion of Britain soon forgot his anger. The definitely unwholesome and forbidding prospect of powers like Germany, Russia, and Japan unleashing a whole fleet of "American-built Alabamas" upon Britain made British diplomats even more tractable than before the Sumner incident. Now as she wished to wipe out the memory of her own un-neutral policy of Civil War days, she determined to make amends for the

10 Bailey, op.cit., 410-411. The role of Charles Sumner is somewhat disputed. A majority of the press seems harsh in describing his attitude toward the Treaty of Washington. In this regard the reader should consult E.L. Pierce, Memoir and Letters of Charles Sumner, vol. IV; C.C. Tansill, The United States and Santo Domingo, (Baltimore, 1938) chap. x; L.B. Shippee, Canadian-American Relations, 1849-1874, (New Haven, 1939).

harm done by the "Alabama". There is strong evidence that a genuine fear of retribution stimulated the British Foreign Office to take the decisive steps which culminated in the meeting of the Joint High Commission at Washington, D.C. in February, 1871.¹¹

11 Katherine A. Wells, A Study of British Policy and Opinion, 1865-1872. This doctoral dissertation presents strong evidence that fear of retribution was England's real motive in agreeing to a Joing High Commission. See "Thesis Extract", passim. The Thesis is in the archives of Clark U., Worcester, Mass.

CHAPTER I
PRESS OPINION ON THE TREATY OF WASHINGTON
JANUARY - APRIL, 1871
GENERAL APATHY TOWARD GREAT BRITAIN

In early February the British Commissioners arrived in the United States. By February 27, 1871, the Joint High Commission was ready to swing into action at the State Department in Washington. The fact that a joint commission ever assembled in any place is noteworthy. Affairs looked very black indeed all through January. The New York World left fall a sarcastic tear when it observed:

. . . poor old England . . . if things go on in this fashion America out of sheer disdain and contempt will have to abandon all idea of insisting upon redress for the Alabama injuries . . . one can fight with a strong man who has insulted and wronged you, but what can you do with a poor old woman who humbly crouches before you, and insists that she loves to be despised and kicked?¹

The same New York World had several editorial comments to make on Britain's "partial" neutrality to the South. England knew better during the Civil War, "but she did not endeavour

1 January 3, 1871. Perhaps this is a play for the Irish vote in New York.

to live according to her knowledge".² After all, the paper argued, if England could pay deference "to the rights, interests, and sensibilities" of Prussia in the summer of 1870, why could not she act in like manner when she negotiated the Johnson-Clarendon Convention?³ In this journal's opinion there is "no chance for arbitration"⁴ at all. The Boston Advertiser observed the same "British subserviency to Prussia" and pointed out the striking contrast evidenced in "our Civil War".⁵ The implication is obvious.

Throughout early January 1871 the editors of the New York World kept their ear to the ground and their eye on English newspapers. A rumor, picked up in France, that: "a Prussian courier . . . captured by the Franks near the Belgian border . . . was carrying despatches urging the United States to press the Alabama claims now",⁶ was given prominence, though the London papers endeavoured to pass it off with a wave of the hand: "The report is hardly credited here".⁷ At the same time another London daily carried a conciliatory article entitled "Let Us Have

2 New York World, January 13, 1871.

3 Ibid.

4 Ibid.

5 February 7, 1871.

6 New York World, January 6, 1871.

7 London, January 5, quoted in the New York World, January 6, 1871.

Peace" in which a settlement of the "Alabama" claims was urged. The article alleged:

England only desires by fair concessions and a frank allowance to bring about a settlement of this foolish quarrel which alienates two great nations allied by blood and sympathy.⁸

The clamor of the English press for a settlement prompted Gladstone's announcement on January 29 that the ministry was doing its utmost to bring about such an adjustment.⁹ In early February our State Department was informed that the British Government had agreed to take the final steps in the creation of the Joint High Commission.¹⁰

On February 10 the correspondence between Secretary of State Hamilton Fish and the British agent, Thornton, went to the Senate together with the names of the American Commissioners. Previous apathy toward Great Britain on the part of the American press was quickly dispelled. The Chicago Tribune offered "congratulations to both countries"¹¹ and expressed high hopes "for a quick settlement and payment". Other leading "dailies" of the mid-west¹² felt satisfied with both the proposed

8 Editorial, London Times, cited in the New York World, *ibid.*

9 Allan Nevins, Hamilton Fish, N.Y., 1937, 443-444.

10 Ibid. Nevins quotes liberally from the Fish diary of February 3, 1871.

11 February 11, 1871.

12 For example, the Indianapolis Journal, Chicago Evening Mail, and the Cincinnati Gazette.

Commission and with the names of the British representatives. "Earl Grey" was lauded by the Indianapolis Journal "as the clearest headed and most rational statesman of England, and a friend to America".¹³ Thornton's conduct was alleged "to have won the respect of all here in the United States".¹⁴ This same confident tone was adopted by the Chicago Evening Mail:

. . . the names of the Joint Commissioners are well known to the American public, and we have every reason to hope that both these vexed questions will be settled to the entire satisfaction of both countries, and that nothing will be left to mar the intimate and friendly relations that should exist between us.¹⁵

EAST JOINS WEST TO SUPPORT ARBITRATION

The press of the east joined in approving the arbitration proposal. The Baltimore Sun expressed the conservative opinion that the whole proceeding "is in that rational spirit which should activate great and civilized nations!"¹⁶ The New York Evening Post re-echoed hopes for a "successful arbitration".¹⁷

¹³ February 10, 1871.

¹⁴ Ibid. Thumbnail sketches of the Commissioners occupied a full column on the Journal's editorial page, February 13, 1871. A sign of intense interest.

¹⁵ February 10, 1871.

¹⁶ February 10, 1871.

¹⁷ February 10, 1871.

The editor of the Philadelphia Public Ledger commented favorably on the proposal, and his analysis of the Fish-Thornton correspondence was given to the public "as indicative of a quick settlement".¹⁸

It should be understood, however, that this pro-English and pro-arbitration sentiment was not universal. The New York press is a good illustration of this point. The Daily Tribune joined with the Evening Post, and both praised the "idea of the commission", and express themselves as gratified with the "commissioners selected".¹⁹ The Times which had previously lauded Reverdy Johnson's efforts as the work of an "astute lawyer"²⁰ followed with wholesome praise of the Joint High Commission as a "peaceful mode for settling difficulties",²¹ and for the Times editorial comment is surprisingly sanguine:

We are persuaded that their (the Joint High Commission) ultimate decisions and agreements will be a new contribution to the practical side of International Law, and that their effect will be the most beneficent achievement of President Grant's administration.²²

18 February 10, 1871.

19 February 10, 1871. (See footnote 17).

20 January 9, 1871.

21 February 13, 1871.

22 Ibid.

But the New York World led press opposition to the very idea of arbitration. The paper's general antipathy to anything "un-American" has been pointed out.²³ About mid-January the World carried editorials directed against the "useless pleadings for Great Britain sponsored by the New York Times and other papers".²⁴ A week later the "Alabama" question was still being editorialized. An urgent appeal was made to "let Congress debate the cruisers".²⁵ On the next day a list of suggested debaters appears in an editorial which urges the numerous benefits to be derived from open debate. Among the names mentioned were Senators Sumner and Butler "because of their extreme anti-British passion"; Carl Schurz who would speak "for the German interests"; Senator Casserly who is "trusted by the Irish Catholics"; and Senator Thurman because he is "lawlord of the Senate".²⁶ A spirited appeal is made to the effect that only Americans should settle the "Alabama" quarrel.

. . . the fact is that as to the damages by the "Alabama", the people of this country will submit to nobody's arbitration. Great Britain must make due atonement. Let Congress debate, --not the German, Dr. Bluntschle.²⁷

23 See footnote 6, p. 10.

24 January 17, 1871.

25 January 25, 1871.

26 January 26, 1871.

27 January 31, 1871. See also Godkin's article, The Nation, October 6, 1870.

On the eve of the State Department's press release concerning the nature of the Joint High Commission and the names of the Commissioners to be ratified, the World struck bitterly at the Evening Post. Since the Post had published an editorial urging "friendship with Great Britain"²⁸ above all else, the World, sharply critical of that position, called for "peace and justice first; we can get along without the friendship of Great Britain".²⁹

Yet on the eventful day of the official government release which made the Joint Commission an actuality, the World did an editorial somersault. In a lengthy leading editorial--"New Phases of the Alabama Negotiations"--the editor is all smiles: "Washington is the best spot"³⁰ because our Senate is in session and the people will be close by to protect their own interests. The previous appeal for open congressional debate is now modified to a plea for amiability:

We would fain hope that Mr. Sumner practice forbearance; that Mr. Butler learn moderation; that J. Q. Adams suppress his desire to fly at the throat of well dressed, well bred Englishmen. This new Alabama negotiation is to be started in the line of sound precedents, and in conformity with the precedent maxim that in many counsellors there is safety.³¹

28 Quoted in the New York World, February 9, 1871.

29 February 9, 1871.

30 February 10, 1871.

31 Ibid.

WAVE OF OPPOSITION TO JOINT HIGH COMMISSION

Displeasure and suspicion were not missing among press reactions to the proposed Commission. The Philadelphia Inquirer dogmatically asserted that the "real meaning of England's proposition is that she wants to settle the matter, and she wants to settle it on the cheapest terms . . ."; she is not being fair" . . . and it is the business of our government to see she settles for all and pays the last penny due".³² A week later the Philadelphia Inquirer still voiced her suspicions in a leading editorial: "With Whom is England Going to War?":

Why all these military preparations, if all is satisfactory on the European front? We don't want war--but sooner or later, the Alabama claims must be paid.³³

Another Philadelphia paper, the Public Ledger tried to divulge Britain's real motives for entering into an agreement with so much alacrity "as protection against 'American-built Alabamas' and as a bid for the friendship of a strong America".³⁴

When the news of the Commission was released, the New England press did not content itself with mere felicitations. It

³² February 10, 1871. This editorial seems to have been based on an incomplete report of the official agreement. In general the paper supports the radical Sumner position.

³³ February 17, 1871.

³⁴ February 16, 1871.

probed much more deeply. The Springfield Republican openly stated:

Lord Granville has proposed the Joint High Commission because he is unwilling to go before Parliament, where his foreign policy will be so sharply attacked, without giving some assurance that the Alabama controversy is near its settlement.³⁵

The Boston Advertiser couldn't refrain from observing that the proposed commission smacked very definitely of the Johnson-Clarendon Convention. Sarcasm abounds in the following comment:

Since human reason is imperfect, it may not be sufficient to say that a thing is wrong because it is like the Johnson-Clarendon Convention. But it is sufficient to say that in a popular government no statesman ought to force upon a people a scheme which affronts their keenest sensibilities, and which, in a different form, has once been rejected . . . we believe the last treaty (Johnson-Clarendon Convention) was not only a mistake but a positive insult. We don't believe that Great Britain has abandoned her purpose.³⁶

Although the reactions for the most part were along international lines, yet the Springfield Republican raised the question of domestic politics. If opposition to England will assure a Democratic victory in 1872, then opposition to that "tyrant

35 February 10, 1871.

36 February 11, 1871.

England" will be headlined "on account of the great weight of the Irish element among its voters".³⁷ The clamor for "strict justice" on the part of the New York World³⁸ is an example of just such a play for the Irish vote.

Editorial readers of the New York World were kept well informed all during the month of February. One day the Fisheries question would come up for discussion;³⁹ the next day public attention would be directed to the "dogmatic stand of Montague Bernard", one of the British High Commissioners.⁴⁰ "England has more skilled and professional advisers", solemnly pronounces the World.⁴¹ Three days later Montague Bernard is on the editorial pan again--this time for "being a poor philosopher".⁴² On the Thursday before the Commission convened, Professor Bernard is taken to task:

. . . the Professor doesn't distinguish between the "intention to destroy" and actual destruction . . . the British Neutrality Law of 1870 contradicts his stand . . . U.S. Supreme Court decisions over-rule the Professor . . . therefore, get to the question, Bernard.⁴³

37 Springfield Republican, February 10, 1871.

38 See footnote 29.

39 February 14, 1871.

40 February 17, 1871. Montague Bernard has an interesting book on English neutrality and we will refer to it later on in this paper.

41 February 18, 1871.

42 February 21, 1871.

43 New York World, February 21 and 24, 1871.

This whole campaign on the part of the New York World against Montague Bernard is indirectly nullified in the pages of the keenly edited Springfield Republican:

Montague Bernard will find when he sits in on the Commission that last summer Parliament by modifying her foreign enlistment act--nullified over one half of his argument.⁴⁴

Press opinion was not unanimous in the belief that the World was setting up and knocking down straw-men in the "Alabama Claims" settlement. Late in March a leading editorial in the Nation scored the lack of public knowledge on foreign affairs. Faint, damning praise concludes the article:

Indeed the New York World may be said to be the only paper which has made any serious attempt to form public opinion on it (i.e. on foreign affairs); and if its able discussions of questions of law and hermeneutics were not marred sometimes by blatant "chauvinism", and at other times by ferocious party spirit, it would be entitled to the thanks of the community.⁴⁵

In some quarters the commission and the choice of commissioners were touchstones for evaluating the Grant administration. The most rabid organ of the Democratic party immediately instituted a comparison between Grant and George Washington. Grant

44 February 11, 1871.

45 The Nation, March 21, 187(2) (sic).

as "the man of the few half inch shreds of vapid commonplace utterances" came off a bad second.⁴⁶ Another member of the Knickerbocker press hailed Grant's action in the whole affair as "un-American".⁴⁷ Grant, however, was not without his defenders. "His calm, practical view of the situation . . . is just another reflection of the President's practical statesmanship, and of his intuitive sense of right and justice".⁴⁸ Moreover the Baltimore American was solemn in its pronouncement that "President Grant has been eminently successful in war and in peace".⁴⁹ With a fling of extravagant praise Grant is credited with "finding the right men for the right place . . . of which the happy solution of the Alabama question is not the least".⁵⁰

PRESS RIDICULE

Late February saw the sessions of the Joint High Commission get under way. One might speculate on what happened at those meetings between February 27 and May 8. If we had to rely upon

46 New York World, April 26, 1871.

47 New York Evening Post, March 10, 1871. This editorial referred to Sumner's removal as chairman of the Senate Committee on Foreign Affairs.

48 Baltimore American, February 10, 1871

49 February 10, 1871.

50 Ibid.

press releases, we would starve for news. The doors were shut to the reporters and their despair is sharply outlined in the following humorous editorial:

Sessions are private and the Commissioners object to being interviewed. Yet one thing we (Washington reporters) note:- the English commissioners have had a chance to indulge in some peculiar American luxuries. The delicious canvass-back duck, the savory Spanish mackerel, the tender terrapin, and the magnificent oyster have played their parts in endeavoring to convince the Britishers that it would be injudicious to quarrel with the country that produces such luxuries.⁵¹

The Baltimore Sun seems to have jumped the gun in fun-poking the High Commissioners by tagging them as "The High Diners".⁵² This wave of sarcasm was carried forward by the New York Herald:

The Joint High Commissioners at Washington have discussed a good many joints since they came together:- up to the present exactly 32 deliberative dinners have been devoured. In evidence that eating has proved a powerful means to soften the head of a hardshell diplomat, the Herald adduces the example of Mr. Revardy Johnson.⁵³

A week later an editorial, couched in somewhat the same taunting language, appeared in the Chicago Tribune.⁵⁴ The

51 Philadelphia Inquirer, April 11, 1871.

52 April 4, 1871.

53 New York Herald as cited in the Baltimore Sun, April 4, 1871.

54 March 5, 1871.

editors assured the public that "the Joint High Commission has commenced business in earnest" because the dinners were so successful as to elicit frequent telegraphic mention from the Nation's capital".⁵⁵ In a spirit of reminiscing the Tribune readers were asked to recall that:

Reverdy Johnson and Lothrop Motley had already devoted over 100 dinners each to the settlement of the Alabama claims; but in union there is strength and 10 High Commissioners all plying their knives and forks vigorously in concert, and bombarding each other across the table with champagne corks, can, of course, accomplish vastly more at a sitting than a minister ever so able, eating single handed against a score.⁵⁶

This bit of newspaper ridicule ends in a serious finale, quite exhortatory in tone: "Let the High Joint Gentlemen . . . be treated to the best in the larder. These bothersome questions must be settled!"

From time immemorial mutual concessions have been the "bug-bear" of every pre-treaty conference, and the sessions of the Joint High Commission proved no exception. The Boston Daily Advertiser⁵⁷ reminded its readers of the favorably received Webster-Asburton Treaty, and was convinced that the same conciliatory spirit permeates the American and British Commissioners.

55 Ibid.

56 Ibid.

57 April 27, 1871.

It was stated that the sessions at Washington:

show our state of civilization in yielding in the "non-substantial matters". It is to be hoped that we may emulate the self-restraint of our fathers, and in securing a not less successful issue out of even graver controversies.⁵⁸

While the secret sessions carried on through March and April, a controversy raged in the papers on the question: Are the Americans over-matched on the Commission? It will be recalled that the New York World vigorously maintained the affirmative, and tenaciously held that "England has more skilled and professional advisers".⁵⁹ This stand on the relative inferiority of the American Commissioners evoked several sharp replies. The Chicago Tribune wisely pointed out that " . . . the American public will not feel any misgivings on account of . . . our representatives . . . (who) are tolerably sagacious, and sound in the qualifications required; viz: they know about how much we want, and about how much we have got to have . . ." ⁶⁰ Two days later an even more vehement defense of our commissioners was voiced by still another Chicago organ:

58 Ibid.

59 February 18, 1871. See footnote 41, p. 18.

60 March 2, 1871.

. . . the very character of the American Commissioners is warranty enough against vacillation on their part or power in that of the English gentlemen to hoodwink or brow-beat them; . . . in equity and justice, let no man or journal be discourteous to them.⁶¹

In the east the Boston Journal urged active support of our representatives on the Commission in the conviction that the "commissioners cannot very well go astray, since the public opinion of this country is so well matured".⁶² A very pointed comment appeared in the New York Evening Post, advising the administration "to take a lesson from English appointed secretaries so that we appoint equally competent jurists and statesmen".⁶³ To the Boston Journal the whole question of the relative abilities of the Commissioners appeared as a "political football" -

In this country there are politicians - and they may be confined to the Democratic party - who do not want President Grant's administration to have the honor of bringing our controversies with England to a complete and satisfactory settlement . . . Some want no settlement at all at present, preferring to have the existing irritation against England kept as a weapon admirable for electioneering purposes.⁶⁴

61 Chicago Evening Post, March 4, 1871.

62 February 28, 1871.

63 February 28, 1871.

64 February 23, 1871.

During the Commission's sessions behind closed doors, the New York World grew caustic. The editors of this organ frequently offered sage advice to the British representatives that "halfway measures will be worse than none".⁶⁵ "Popular feeling, and not merely the Irish vote"⁶⁶ should warn the Britishers that a thorough settlement of our difficulties is in good order.

ANXIETY IN THE SOUTH AND MID-WEST

Research shows that during the month of March anxious speculation was rife in the South and in the mid-western states. In those regions fun-poking the Commissioners did not appeal as a pastime. Rather from day to day serious reflection and comment followed upon the apparent lethargy of the Joint High Commission. This serious spirit is well illustrated in a vindictive and pointed summary on the editorial pages of the Indianapolis News. It deals with the origin and the significance of the High Commission. Some considered the propriety of "Canadian annexation" as compensation for our damages;⁶⁷ others felt that "the Canadian claims for Fenian forays would offset our claims for the Alabama's work".⁶⁸ Undoubtedly this constant speculation bred pessimism:

65 March 6, 1871.

66 New York World, March 6, 1871.

67 Indianapolis News, March 9, 1871.

68 Ibid.

There is not, in short, any view of any part of the Commission's action that shows the light of probable adjustment without its exact counterpart in shadow of as probable a failure.⁶⁹

March dragged on. The Joint High Commission's apparent inactivity did more than give birth to cynical rumblings about probable failure. A previous spirit of friendliness on the part of the Nation's press now gave way to disgruntled fault-finding. An excellent example of this new and hostile spirit can be detected in the editorial policy of the Indianapolis News. The London Times had published an editorial which fired the News with indignation. The English paper had boldly pronounced that: "England repudiates her responsibility for the depredations of the Alabama until it is declared by an impartial arbiter".⁷⁰

The Indianapolis News replied with this sharp rejoinder:

Then, in the name of all that is idle and senseless, what is the Commission here for? If it has nothing to do until English responsibility is settled . . . it is of no more use here than a gang of the "swell mob".⁷¹

With justice does the editor of the News point out that the present position of the Times (London) differs greatly from the stand taken in former discussions:

69 Ibid.

70 London Times as quoted by the Indianapolis News, March 9, 1871.

71 Indianapolis News, March 9, 1871.

It (the Times) then saw and said plainly enough that if England disallowed her responsibility, the Alabama precedent would justify a like repudiation by the United States, and the first English war with a maritime power would be the end of English commerce.⁷²

Such editorial comment as just cited was, according to the American mind, merely the language of common sense or "logic working upon obvious facts".⁷³ In the eyes of a certain Indiana editor the stand taken by the London Times was tantamount to shading the glare of truth with a little national dignity, and such an attempt was distasteful to the American public:

It (England) thinks it "came down" a little too far and is climbing back. It is impelled to take this course, we fancy, not a little by the helpless uneasy, awkward position . . . in the recent war, and in the Black Sea Conference. The "right little, tight little island" that once gave the word to Europe has stood back as silent and little considered as a "bound boy at a shocking". She has been pushed aside and she can neither remedy or resent the degradation. But the war is over, and fearing no complications in the East, the Times turns spitefully about now "to dispose of that dirty little affair of ours" (the Alabama controversey).⁷⁴

72 Ibid.

73 Ibid.

74 Ibid.

A kindred spirit was evidenced by the Indianapolis News during the next two weeks.⁷⁵ In a polite but firm warning England is asked to heed the fact that:

She has set a ruinous precedent, and if she chooses to put difficulties in the way of a reversal of it, nobody will suffer for it 100th part as much as she will.⁷⁶

It must be understood that England and her Commissioners were not the sole objects of press attack and indignation. Several pointed remarks were directed against the "bad management of President Grant and his antiquated premier, Mr. Fish".⁷⁷ Particular hostility towards the Government seemed to emanate from the state of Kentucky. Perhaps a lingering sympathy for the lost cause of the Confederacy accounted for newspaper attacks on the Grant administration. The Louisville Daily Ledger boldly asserted that we had no moral basis for complaint against England, and that "it is only to propitiate the Irish vote that the government is raising this absurd question".⁷⁸ A strain of bitterness can be detected in one editorial which was calculated to justify the charge that the Joint High Commission was nothing but a mere play for the allegiance of Irish voters:

75 On March 19 and 21 the editorials of the Indianapolis News reported that the English Commissioners were adopting the censorious tone first suggested by the London Times.

76 Indianapolis News, March 9, 1871.

77 Louisville Daily Ledger, March 14, 1871.

78 Ibid.

The natural attraction of the Irish people was to the South. The United States, however, won many of them with the promise that as soon as the South was "settled", England will be "pitched into", and Ireland's independence conquered; that they were to do for Ireland and the Irish, the very thing that they had gone to war to keep the South and the Southern people from doing.⁷⁹

More than once the readers of the Louisville Daily Ledger were advised to dismiss the work of the Joint Commission as "mere rowdy rhetoric" employed to "tickle the Irish hopes".⁸⁰ This same paper was scarcely ever inclined to endorse the American position on the "Alabama claims". One reason offered was:

. . . it is not in the nature of flesh and blood that the Southern people should stultify themselves by approving such claims, or by taking any interest in the success of our arms in a senseless war growing out of them.⁸¹

During these same March days a more tolerant, and consequently more rational outlook was that of the Chicago Tribune. Her editorials weighed carefully the possible disastrous consequences in the event that the Joint High Commission failed. The paper concluded that:

79 Ibid.

80 Ibid.

81 Louisville Daily Ledger, March 14, 1871. Long editorial justification for the South's stand during the Civil War.

. . . a new antagonism will grow up between the two governments and peoples; the stupid fisheries question will lead to collisions on the New England Coast; gold will go up and stocks (i.e. to say property) will go down, and all this without a particle of reason or common sense to justify it. If we escape war, it will only be by good luck and the chapter of accidents.⁸²

Two days later the Washington correspondent of the Cincinnati Gazette reported that the business of the Commission was moving along in an easy and light vein;⁸³ so light was the vein that the Indianapolis Daily Sentinel charged the account to the over-wrought imagination of the correspondent. The report, which purported to be a Morceau from the journal of the British High Commission, elicited this bit of press ridicule:

Policy. Keep dark, lay low. Let the American Committee talk themselves hoarse. Beat the devil around the bush. Time is no object. Be happy. Monday, March __, held usual session this morning. The cigars are not as good as usual, but the wine was very fine. Duration of session - 30 minutes. In the evening dined at Senator's _____. For America it was quite a creditable affair . . .⁸⁴

The editorial concluded with a rapier-like thrust at the person of our Secretary of State, Hamilton Fish. "The good dinners and fine wines of the High Commission will suit Fish to a 'T'".⁸⁵

82 Chicago Tribune, March 20, 1871.

83 Cincinnati Gazette as quoted in the Indianapolis Daily Sentinel, March 22, 1871.

84 Indianapolis Daily Sentinel, March 22, 1871

85 Ibid.

On March 23, 1871, the Louisville Courier-Journal voiced its first comment on the work of the Joint High Commission. A leading editorial of two page-length columns was devoted to an "Interpretation" of the Commission's supreme inactivity.⁸⁶ Complete dissatisfaction was expressed at the failure of both sides of the Commission to produce or even suggest any kind of a settlement. Chief blame was placed upon English shoulders, and Great Britain was charged with a breach of faith. J. Henry Watterson, the colorful if not respected editor of the Courier-Journal (Louisville), re-echoed in more vehement language the sentiments first expressed by the Indianapolis News (March 9, 1871). The favorable change in European politics was set down as the fundamental cause for the present coldness and indifference of the English members to the Joint High Commission:

Two or three months ago it seemed as if England could not possibly get out of the Black Sea Controversy without a fight. She knew that it would be simple madness to go to war with Russia and leave the Alabama question open. Her commerce would have been swept from the seas. Therefore she conceived a sudden tenderness for us "republican rowdies" and her liberal press got off quite a display of sentimental fireworks about the necessity of union and good fellowship between the branches of the great free Anglo-Saxon race.⁸⁷

⁸⁶ Louisville Courier-Journal, March 23, 1871.

⁸⁷ Ibid.

Prussia's intervention and desire for European peace prevailed, and war clouds were blown quickly away from English shores. With this fact in mind Watterson could write:

England relieved of her quarrel with Russia . . . has had time to cool off and to remember that she does not love us as well as she thought two months ago.⁸⁸

A spirit of optimistic reaction followed close upon those events in European politics which caused England to look at the world once again through rose colored glasses. In this country the press did not appreciate the change. Mr. Disraeli and the English Nation were blasted as "stubborn" and this stubbornness was reported to be the underlying cause of non-activity at Washington. The Courier-Journal's interpretation ends on a note of despair: ". . . we may expect something to be patched up that will do to put before the country by way of pretext and apology, but as for the brilliant diplomatic achievement expected of Secretary Fish, we are as yet unable to see it".⁸⁹ Fish was still playing the role of scape-goat two days later. This particular attack on Fish is somewhat repulsive and certainly unwarranted:

. . . we report that a mere temporary and partial patching up of minor details is the largest measure of success that we anticipate from Mr. Fish's wine bibbing and gluttonous diplomacy.⁹⁰

88 Ibid.

89 Louisville Courier-Journal, March 23, 1871.

90 Louisville Courier-Journal, March 25, 1871.

As March moved into April the indifferent and sometimes hostile Indianapolis News proclaimed the whole attempt at settlement "a wasted mission", and maintained that the Commission "was coming out the same hole it went in".⁹¹ Since this was the case, the Administration at Washington was given the fatherly advice to be "silent and indifferent" to the final outcome, lest the American people be treated to another "pudding and port treaty" like that of Mr. Reverdy Johnson.

The apparent dead-lock at Washington persisted. Continued charges of infidelity were levelled against England by the Courier-Journal.⁹² "Smug complacency" best describes the attitude of one Indiana Daily: "It is not our 'funeral'. If England wants the rule of the Alabama precedent retained, it's her affair. It won't hurt us to leave it as it is".⁹³

The press seemed drugged with disappointment as the first week of April dragged by without any new developments. The only bit of enthusiasm came from the Louisville Daily Ledger, but it was an enthusiasm shot through with satire:

91 March 28, 1871.

92 Louisville Courier-Journal, April 1, 1871.

93 Indianapolis News, March 28, 1871.

The Joint High Commission must be in a fair way to settlement; at least the Commissioners are in good humour; and as long as you can keep Englishmen in good humor - . . . (She is set) for any bargain . . . only if Oxford could row over and beat Harvard - then we would win our claims.⁹⁴

FORMAL DRAFTING OF THE TREATY

Then came the break. On April 8 the Joint High Commission took up the formal drafting of the treaty.⁹⁵ On the eve of that happy day a special Washington correspondent scooped the country with his telegraphic report that "the settlement would in no way compromise our national honor, and it would be satisfactory to the American people".⁹⁶ This same good news of real activity in Washington was considered by the Chicago Evening Post as "an argument for liberal government". Editorial readers were enlightened to the effect that:

England's derelection . . . arose before the triumph of liberalism; when Gladstone and Bright and their coadjutors, in the cause of progress, were in the minority . . .⁹⁷

Now all is changed and great men (viz. Gladstone and Bright) are "making haste slowly".⁹⁸ Another Chicago paper, long silent on

94 April 6, 1871.

95 Protocols quoted by Nevins, Hamilton Fish, 488.

96 Indianapolis Journal, April 7, 1871.

97 April 10, 1871.

98 Ibid.

the Alabama question, congratulated the country on the satisfactory progress made by the Joint High Commission:

It will be a precedent that is to be hoped will be followed in the future, in the settlement of national disputes and differences.⁹⁹

When the High Commission had been working on the formal draft of the treaty for almost a week, one New York paper was inclined to look favorably on the previous month's work and claimed that the joint body accomplished "as much as could be expected of them".¹⁰⁰ To the independent Indianapolis News, however, the announcement of formal draft proceedings meant little. The editor was quite suspicious of latent intrigue, and in order to make light of this report and all previous inactivity he spun this little yarn:

Then we heard from him (the story is about the fate of a man who went to sea) and then we didn't; and then we did and then we didn't; and then we did and at last we didn't.¹⁰¹

It was maintained that so many stories and conflicting reports on the progress of the treaty had the "sea-going yarn" beat by a mile. Consequently the Indianapolis News was content to remain vague.¹⁰²

99 Chicago Evening Mail, April 11, 1871.

100 New York Herald, April 15, 1871.

101 Indianapolis News, April 14, 1871.

102 Indianapolis News, April 24, 1871.

Even when the Commissioners began work in earnest, the New York Herald seemed still to be haunted by the memory of the "Johnsonian antics" in England during 1869-1870. At any rate the Commissioners are to be "excused" because:

they had so much extra labor in the way of fox hunting, starting documentary evidence from cover, dining, flushing old precedents, visiting and merrymaking.¹⁰³

It is no secret that the British members to the Commission were annoyed every time an Irish partisan paper "twisted the Lion's tail". They were particularly vexed by the actions of Senator Butler who was so quick to pick up and carry forward the Irish torch. Even in this country the Senator's activity was severely criticized. The Philadelphia Inquirer sharply rebuked Butler "for striving so hard to ingratiate himself with the Irish voters by demanding that the "Alabama" commission insist on the claims of American citizens in British dungeons".¹⁰⁴

Toward the end of April the New York World reviewed most sympathetically the work of the Commission.¹⁰⁵ In the same conciliatory strain the Philadelphia Inquirer conceded that nothing

103 New York Herald, April 15, 1871.

104 April 19, 1871.

105 April 24, 1871.

can be dearer than "a peace purchased by mutual concessions and just principles".¹⁰⁶ Like sentiments were voiced by the Chicago Evening Post.¹⁰⁷ Yet one day later a strong proof of the democracy of our press is found, for, when most of the leading journals were chanting the praises of "work well done", the New York Herald sharply scores the inadequacy of the Joint High Commission:

No Alabama money is forthcoming; no Yankee fishermen are to trim their sails for summer cod in Canadian waters, no western steamers are to be unhindered from Chicago to the sea through Canadian channels . . . until the Commissioners finish their "labors" -- even then stormy discussions will follow.¹⁰⁸

106 April 24, 1871.

107 April 27, 1871.

108 April 25, 1871.

CHAPTER II

PUBLIC OPINION CRYSTALLIZES, MAY, 1871

May 1871 witnessed the gradual crystallization of American public opinion on the Joint High Commission. Almost daily did the proposed treaty come in for comment on the editorial pages of the country's leading journals. Between May 2 and May 8 speculation was a favorite press hobby. On the 8th of May the treaty was completed and signed. Interest grew by leaps and bounds when President Grant summoned the Senate to meet in special session on May 10th. Two weeks elapsed before the Treaty was finally ratified on May 24th. During this fourteen day period the newspapers vied in featuring any and all kinds of treaty chatter. The importance and notice taken of even the smallest incidents revealed the feeling on both sides of the Atlantic that the treaty was an event of cardinal significance.

While the Commission was actually completing the treaty draft, the press could not remain silent. The New York World made a blanket proposal to debate the treaty in open Senate regardless of precedent.¹ If the Senate should meet to discuss

¹ May 2, 1871.

and pass on the treaty in executive session, then at least a copy of the document should be given simultaneously to the press.² One exhortation followed another, and there was a constant plea to consider first and foremost the people's interest. The motion for open debate in the Senate was seconded by the Springfield Republican: "All we urge is public approbation by open debate".³ In order to avoid another Johnson-Clarendon fiasco, "public judgment on the matter was deemed necessary".⁴ A new voice was heard in praise of the commission's work, when the New York Herald, for the first time, looked upon the Joint Commission's endeavors as "fair and honorable to both sides"; moreover the treaty as submitted was said to contain "humanitarian benefits to one and all".⁵

TEMPERS FLARE

The days just before the final draft was signed were a period of grave suspense in both countries. Under the strain of expectancy, it is not surprising that tempers flared and feeling became tense. Here at home the New York Tribune urged its public to ignore "the inventions of special correspondents" who are not in the "know" and "who can't penetrate the secrets of the

2 Ibid.

3 May 2, 1871.

4 Ibid.

5 May 4, 1871.

closeted commissioners".⁶ This advice was eminently sane, but unfortunately it came too late to avoid a near catastrophe. For on the very day that the Tribune issued her editorial against belief in vague rumors, the Boston Daily Advertiser carried a leading editorial entitled: "Press Opinion on the Approaching Settlement". In dramatic fashion the New England organ played up "the nervous anxiety and not unbroken amiability of the English press in discussing the supposed doings of the Joint High Commission".⁷ The very thing that the Tribune had warned against, had happened. "Rumors regarded in the United States as too vague to merit much consideration, in England have become the basis for articles evidently emanating from writers of no comfortable frame of mind".⁸ This editorial concluded most forcefully with a spirited appeal to avoid "slinging mud on national characters".

Unfortunately the appeal went unheeded. Despite the fact that a majority of the reliable papers pursued a prudent course during these days tense with uncertainty, the ugly head of bitter ridicule was reared. The innuendo of an editorial which bore the alluring title of "Getting out of the Woods", is apparent in the following quotation:

6 May 5, 1871.

7 May 5, 1871.

8 Ibid.

It is not at all certain that the Joint High Commission has got near enough to the "edge of the woods" to justify even the little "whistling" it is said to indulge in, but it is certain that the popular reports regarding its action are flying in a narrower circle and in a steadier line, and leaves the impression like the narrowing flight of a flock of buzzards, that there is a real carcass somewhere in the circumference. We are not too sanguine:- It would be very much like the English to want to confuse the racially character of the whole affair.⁹

Quite naturally such a slur on the intentions of Great Britain did not sit well with the English press. Add to this factor another item which agitated their press no end. Were the new rules of neutrality to be retroactive or not? This was a most delicate point, and according to English public opinion:

to give a new rule a retroactive effect would be monstrous; to hold England to answer for infractions of a rule which were committed years before the rule existed, would be absurd.¹⁰

The retort snapped back by the Boston paper was to the point. They conceded the English logic to be superficially good, but they contended that "the axiom of equity expressed in the homely saying that 'one cannot eat his cake and have it too' lies much deeper in the settlement of the 'Alabama claims'".¹¹

9 Indianapolis News, May 5, 1871.

10 Quoted in the Boston Daily Advertiser, May 5, 1871

11 Boston Daily Advertiser, May 5, 1871.

American public sentiment on this point was further clarified by the same Boston Daily Advertiser:

Even gamester's honor condemns the greediness of which England is tempted to be guilty, and requires him who has won by a run of good luck to offer to his adversary an opportunity to win back his losses before crying quits forever; . . . everlasting justice and honor are not the creatures of diplomacy and negotiation. What was right and wrong in 1870, was also right and wrong in 1860. We are not waiting for an empty formula".¹²

Before the draft of the treaty was released, the Charleston Courier playfully tagged this period as one of "political fireworks". The whole idea of the commission was characterized as mere "political strategy" of the party then in power. "Once Grant was elected", the paper observed, "A High Commission is appointed".¹³ The previous rejection of the Johnson-Clarendon Convention was considered not so much a mistake as "an election trick pure and simple".¹⁴

FINAL TREATY DRAFT SIGNED

Then dawned May 8, 1871, a red-letter day in the Nation's

¹² Ibid.

¹³ Charleston (S.C.) Courier, May 4, 1871.

¹⁴ Ibid. As other rabid democratic organs the Charleston Courier considered the work of the Joint High Commission as a complete vindication of the former efforts of Reverdy Johnson.

capital. It was the day on which the final draft of the Washington Treaty was signed by the Joint High Commissioners. The New York Herald "scooped" the official announcement. Thanks to the report of a special correspondent, this organ featured an editorial that was most congratulatory in tone.¹⁵ Writing as the special correspondent for the Boston Journal, the widely known Ben Perley praised the treaty as "acceptable to the majority of the people of this country".¹⁶

Under date of May 9th many of leading papers carried editorials in praise of the treaty, precisely as drafted and signed by the Joint High Commissioners. The New York press led the way. The most lavish epithets were furnished by the New York Herald which regarded the treaty "as one of the most interesting and important political events of the 19th century".¹⁷ The editors felt confident:

that the enlightened and peace-loving people of this great republic will accept this treaty with something of the faith of St. Paul, that is, as "the substance of things hoped for, and the evidence of things not seen . . .".¹⁸

15 May 8, 1871.

16 May 8, 1871.

17 May 9, 1871.

18 Ibid.

Still more plaudits came to the High Commission. It was heralded as "an important landmark to the historian" and "the opening of a new chapter in a new and higher order of international reciprocities and obligations". Amid highly laudatory statements we find stress on a very sober and realistic observation: "the greatest concession is that of the paramount necessity to England of peace and of the manifest obligations of peace to ourselves and to the world at large".¹⁹

Nor was the New York World to be outdone by her Gotham rivals. A three column editorial hailed the treaty as an equitable settlement. By far the larger portion of this lengthy editorial was devoted to a serious consideration of how the United States Senate should react to the proposal. Strong emphasis was placed upon the terrible consequences that would follow, should the treaty be rejected.²⁰ With an eye on the 1872 presidential election, the editor pointed out that rejection of the treaty "means war or humiliation". Then follows a most interesting analysis which illustrates the possible political consequences of a rejected treaty and suggests serious reasons why Grant should desire a rejection:

¹⁹ Ibid.

²⁰ May 9, 1871.

The credit General Grant may get for settling this controversey (which really belongs to his Secretary of State) will count for nothing as an electioneering influence, in comparison with the advantage he would possess by the command of several thousand soldiers and a revival of the old cry that opposition to the President is disloyalty to the country. We know how it was under Lincoln, and desire no similar state of things under Grant, who has more decision of character and less of intellect, and could plead the Lincoln precedents in justifying him in suppressing newspapers, imprisoning citizens, shutting up the courts of justice, and causing the tinkle of Mr. Seward's bell to be heard all over the Island. If a great army in the hands of Lincoln was a scourge of whips, a great army in the hands of Grant would be a scourge of scorpions.²¹

The New York Evening Post acclaimed the treaty "as work well done" and insisted that "honor, not money held up previous negotiations".²² A like attitude was adopted by the New York Tribune which added the hope that "the treaty be considered solely upon its merits, without the slightest admixture of any feeling or prejudice".²³

The salvos of general praise were continued by the Springfield Republican which looked upon the document prepared by the High Commission "as a strong guarantee of propriety and popularity".²⁴

21 New York World, May 9, 1871. Underscoring added.
 22 May 9, 1871.
 23 May 9, 1871.
 24 May 9, 1871.

There were, however, two papers which did not immediately join the chorus of "all-out" treaty editorials. The Philadelphia Inquirer looked upon the whole affair "as a great mystery",²⁵ and urged further delay. The Baltimore American contented itself with a mere general analysis of the proposed treaty and added the ominous inference that "Great Britain is liable for all the damages that Sumner said she was, to wit, \$110,000,000 plus interest".²⁶

When the papers of May 10 and 11 had rolled off the press, there was an even more universal approval of the work of the Joint High Commission. So enthused was the New York World that she now called herself "the mother of the treaty ab ovo",²⁷ and in her new maternal role she carped at the New York Tribune which accepted the treaty with "feeble and halting praise".²⁸ The World was also under the impression that the New York Times was giving "the treaty the cold shoulder".²⁹

Simultaneously other eastern sea-board journals were marching into the pro-treaty camp. The Boston Advertiser was

25 May 9, 1871.
 26 May 9, 1871.
 27 May 10, 1871.
 28 Ibid.
 29 Ibid.

definitely only modest in its praise because the editor considered this editorial his "first and rough criticism".³⁰ The Baltimore Sun appealed to the Senate that this body "continue the same high level of statesmanship"³¹ that characterized the courageous High Commissioners. An exhortation to swift ratification was also put on record by the Chicago Tribune: " . . . the peace and harmony of civilized nations are too important to permit such a suitable and comprehensive adjustment of national questions to be defeated".³² A sister paper from the Chicago area also approved the treaty, but for local and seemingly less altruistic reasons. The key note of this editorial was the provision of the treaty which stipulated free navigation of the St. Lawrence:

by which Chicago (by virtue of a steamer-line between Chicago and Montreal) will be made the greatest receptacle and distributing point for imported goods from Europe for the West, thus saving the expense and delay of the New York custom and bonded houses.³³

The Chicago Evening Post felt that the prevailing general desire to "dispose of the case" made the ratification of the Washington Treaty only a matter of days.³⁴

30 May 10, 1871.

31 May 10, 1871.

32 May 10, 1871.

33 Chicago Evening Mail, May 11, 1871.

34 May 11, 1871.

The New York Herald, previously censured by the New York World, finally came into the pro-treaty camp, but by the back door. It proposed a doubt:

There is one feature of the treaty on which there seems a doubt . . . the British agree that a rule cannot be made retroactive because the Commission would in fact be "applying to an international offence that which is considered in municipal legislation the height of injustice" - an ex post facto or retroactive law.³⁵

Otherwise the treaty was acceptable. Of course from the American point of view, the "ex post facto" element in the treaty was of cardinal importance. The facts of the case were put quite bluntly by the Indianapolis News:

. . . there was no law when the Alabama got away, but Her Majesty is willing to act as if there had been one. She did not do wrong but she is willing to pay. No body will object to the protest of innocence so long as the payment is the confession of guilt.³⁶

Then with a cruel thrust of cold logic the editor concluded his remarks by saying: "Allowing an ex post facto operation to a rule which makes a debt of a good many millions of dollars, is about as satisfactory an admission of original transgression as we want".³⁷ It should be reiterated that a refusal on Britain's part to adopt retroactive rules would have allowed her "to eat her cake and have it too".

³⁵ May 10, 1871.
³⁶ May 12, 1871.
³⁷ Ibid.

The conservative Philadelphia Public Ledger had high praise for the Commission's accomplishment. The editorial tribute was couched in language befitting a Quaker:

the treaty will establish as part of public law that which will put an end to several very serious disputes between England and America, that have for several years marred the "good will" which it is the desire of ~~the~~ great portion of the people to bear towards all their neighbors.³⁸

"WATCHFUL WAITING"

On the 10th of May the Philadelphia Inquirer proposed to continue her policy of "watchful waiting". This journal took its stand in accordance with the line of thought of the Boston Advertiser,³⁹ namely, a lack of faith in the "loose, irresponsible rumors sent flying through the country by Washington correspondents, who, in the absence of real information, drew on their imagination".⁴⁰ The 11th of May saw a partial change in the "say-nothing" campaign of this organ. At least a favorable reception of the treaty was noted. But the temporary approval carried with it a "rider". What if Great Britain should show equal favor and all our difficulties should come to an early conclusion? The answer to this question was a perfect springboard for further Grant propaganda:

³⁸ May 11, 1871.

³⁹ Confer footnote 8 of this chapter.

⁴⁰ May 10, 1871.

President Grant would have reason to feel that he had done as much to entitle himself to the gratitude of his fellow-citizens in a civil office as he formerly did in a military one.⁴¹

As the Senate debated the treaty in executive session, the press continued its editorial comments. Due to the fact that the Committee on Foreign affairs held their sessions in secret, the newspapers were forced either to rehash the text of the treaty or to speculate on what might be taking place behind closed doors. In the belief that undue speculation might be too dangerous, a majority of the leading journals chose to reconsider and re-appraise the treaty as it came from the hands of the High Commission. The New York Times felt quite keenly that "the principle of arbitration could not possibly be more fairly, thoroughly, or wisely applied to practical affairs than in this new treaty".⁴² This same paper was convinced that England "is coming more than half way to meet us on the ground of reason and justice".⁴³ The Boston Advertiser emphatically declared that "the text of the treaty justifies the hopeful coloring given by the State Department to the brief summary sent out as a kind of 'avant courier' for the opinions of the people."⁴⁴ The Chicago Tribune

41 Philadelphia Inquirer, May 11, 1871.

42 May 12, 1871.

43 Ibid.

44 May 12, 1871.

laconically observed "the Joint High Commission has done all we could rationally expect".⁴⁵

The Indianapolis Journal sincerely asked its readers to scrutinize the text of the treaty so that "they form an intelligent opinion for themselves as to what the honor and dignity and interest of the United States demanded from their Senators".⁴⁶ Praise for every party concerned seemed to be the policy of the New York Herald on May 12th: "Peace loving Queen Victoria and our honest soldier President" have achieved "a great and glorious work".⁴⁷ Scarcely more vigorous praise could have been given than the encomium which appeared in the pages of the Chicago

Evening Post:

The treaty, from the first to the last, gives evidence of great industry and vigilance on both sides, and of an ingenuousness and fair-mindedness . . . It is a tribute to the honesty and candor of the Commissioners, and if executed in the spirit in which it is drawn, will not only stand as a monument of the quiet wisdom of this Republican administration, but also as an evidence that every international quarrel could be cheaply and justly settled by arbitration.⁴⁸

45 May 12, 1871.

46 May 12, 1871.

47 New York Times, May 12, 1871.

48 May 12, 1871.

Within the next twenty-four hours, and for no apparent or tangible reason, the Indianapolis News made a partial recantation of her stand on the treaty. Her unstinted praise was now conditioned by the feeling that the treaty:

. . . will be ratified but with some such feeling as Sheridan expressed at the conclusion of the treaty of Amiens: "it is something of which everybody may be glad but nobody may be proud".⁴⁹

The Evening Post (New York) proclaimed in a most sweeping manner that:

the utter futility of . . . even the most plausible objections that have been discovered to this treaty, only shows that the nearly unanimous wish of the people of the country accords with the true policy of the government and that the treaty as a whole . . . cannot be too promptly or too cordially ratified.⁵⁰

There was another press dispute on the island of Manhattan that merits our attention. The New York Tribune did not see eye to eye with her sister paper, the New York Times; their disagreement centered about England's motive for settling all the difficulties involved. The Times had alleged most forcefully that England's purpose was "to prevent the recurrence of injurious errors",⁵¹ and for this reason did she concede her whole

49 Indianapolis News, May 13, 1871.

50 May 12, 1871.

51 New York Tribune, May 12, 1871.

case by admitting retroactive rules under which she was to be held responsible. Capitalizing on this particular claim that expediency was Britain's chief motive, the Tribune sought to make light of the Times' editorial wherein England was hailed as a champion of justice.⁵² Strange as it may seem, the New York Tribune, despite its dig at English expediency, turned around and approved the treaty "as work done with a most serious and impressive spirit".⁵³ On one and the same day the rival editors appeared to be carrying water on both shoulders.

During this period of our country's history Samuel Bowles was the nationally known editor of the Springfield Republican.⁵⁴ For old fashioned, conservative estimates of public policy the Nation turned to the editorials featured by the Republican. On May 12th editor Bowles was at his very best:

There is abundant reason to dislike the treaty, if anybody really wants to, as there is still more abounding occasion for approving, if that be our disposition. But the general wish in both countries is to accept the treaty.

Mr. Sumner seems ready to criticize. We may look for something of this sort from the Democratic senators too . . . yet we are sure that the greater part of the American people prefer it unamended to failure . . .

52 May 12, 1871. See footnote 43, p. 40.

53 May 12, 1871.

54 For interesting details see Merriam, The Life of Samuel Bowles.

The treaty reduces or promises to reduce the points of difference and the area of ill-feeling, and will make it much more difficult henceforth for Irish prejudice and political ambitions to involve the two nations in serious trouble.⁵⁵

A STORM OF OPPOSITION

It is not to be thought that the treaty enjoyed only smooth sailing in a calm American press; quite the contrary was true. Black storm clouds, heavy with strong criticism against the treaty, threatened. The Charleston Courier ranked high as a bitter assailant of the treaty. In a leading editorial, most critical in tone, the Courier quoted a large excerpt from the Washington (D.C.) Patriot. Needless to say both were rabid Democratic organs. In order to give a balanced view of press opinion it will be profitable to quote the final paragraph of an editorial so adverse to the treaty:

On the whole the treaty is a disgrace to the powers that be, not because it is not just and right, but because it is a declaration to the world that they rejected better terms when offered some years ago, for the reason that they loved then, as they do now, place and power far more than they do the interests of the American people. Whether the Senate affirms or rejects the treaty, one thing is certainly established, and that is

55 Springfield Republican, May 12, 1871.

the fact that the administration of General Grant will, without regard to fixed principles, accept or reject any policy which may at the moment seem to offer success to the radical party.⁵⁶

Still more vigorous opposition came from the Louisville Daily Ledger. In a burst of rhetoric and blind passion fed by smoldering sectional hatred, the paper went on record as saying:

. . . if the Senate does ratify the treaty they will stultify themselves. The feeling was so strong against Johnson's treaty . . . (that there) was one vote short of unanimous rejection. Only Mr. McCreery of this state voted for it . . . The Washington treaty embodies the same principles as the Johnson-Clarendon treaty . . . Must we give in to sectionalism? . . . the whole thing stinks of cod-fish, now that New England is running the Government.⁵⁷

As might be supposed, these partisan pleas to ridicule, and thus defeat the treaty, met with bitter counter-attacks. Perhaps the most vehement reply was that of the Chicago Evening Post. Without reserve this organ struck out against "the more notorious Democratic papers who are urging their senators to 'vote in a body against the treaty'".⁵⁸ Opposition of such a cheap political nature was felt to be most unfair. If the States were really "United", then in patriotic matters they should act in concert:

⁵⁶ May 12, 1871.

⁵⁷ May 10, 1871.

⁵⁸ Chicago Evening Post, May 15, 1871.

What there is or can be of a political nature, or what party capital can be made out of an opposition to this measure would be difficult to surmise. It is either a fair or upright compact, honorable alike to both sides, and mutually beneficial, or it ought to be rejected by every party.⁵⁹

This same organ adopted as its editorial motto: "Beware of Chronic Partisanship".⁶⁰

Day by day press comment paralleled Senatorial debate. The Philadelphia Public Ledger continued to urge ratification in "a spirit of brotherly love".⁶¹ The keynote sounded by the New York Times was to augment "the great code of justice and humanity".⁶² This would be accomplished if both sides would accept the "due diligence" clauses without amendment.

At this juncture the Philadelphia Inquirer urged people to deluge the members of the Committee on Foreign Affairs with telegrams and letters so that these senators would know the public mind. The editor couched his advice in the following way:

. . . in fact the whole business belongs to the people . . . the wisest lawyer is capable of receiving the most valuable suggestions from his clients, and so is a Senator from his constituents.⁶³

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- 59 Chicago Evening Post, May 15, 1871.
 60 Ibid.
 61 May 13, 1871.
 62 May 13, 1871.
 63 Philadelphia Inquirer, May 15, 1871.

At the close of the first week of secret Senatorial debate and lavish press comment, the Springfield Republican was convinced that "the American press approve the treaty both in spirit and detail, with very few exceptions".⁶⁴ The phrase "few exceptions" provided the editor with an opportunity to attack the stand taken by the chief rebels, the Washington Patriot, the Charleston Courier, and the Louisville Daily Ledger. To show the conspicuously one sided character of the minority opposition the text of the Patriot's editorial is cited in part by the Springfield Republican:

Great Britain's regrets are the cheapest and the smallest form of her acknowledgment of her wrongs to us, while the new rules of international law are old stagers dressed up by Mr. Bernard, costumer to the Commission, and familiar to everybody but American novices . . . In all the history of our diplomacy, there never before has been so abject and so humiliating a surrender of national honor, or abandonment of previous principles as in this miserable agreement.⁶⁵

On the same day the Indianapolis Journal joined forces with the Springfield Republican. Together they censured the "captious criticism" of the treaty, and pleaded for fair, careful senatorial consideration.⁶⁶

It is of more than passing interest to note some of the par-

⁶⁴ May 15, 1871.

⁶⁵ Washington Patriot as cited in the Springfield Republican,

May 15, 1871.

⁶⁶ May 17, 1871.

ticular reservations which accompanied the general praise given to the treaty. Local politics and local commercial interests exercised their own telling influence on editorial policy and comment. The underlying prejudices of such papers as the New York World, the Charleston Courier and the Washington Patriot have already been mentioned. It can be stated here that such unreasonable devotion to a political party was stigmatized by the Chicago Tribune as "pure demagogism".⁶⁷

One further illustration of how local interest affected the reception of the treaty will serve to good purpose. It is the deep concern over the "Fisheries" evidenced in the New England press. The Boston Daily Advertiser, while bestowing lavish praise on the document prepared by the Joint High Commission, nevertheless held out a trump card against immediate ratification without amendment:

It is well to look this matter fairly in the face, and to know what we are doing. It may be that on the whole it is best for the nation at large to pursue precisely the course which the treaty marks out. But let us at least see and understand whither that course leads.⁶⁸

The subsequent trend of the editorial is doubtlessly influenced by the spectre of bankrupt New England fishermen idly hugging the shore:

⁶⁷ May 18, 1871.

⁶⁸ May 17, 1871.

It may be that the U.S. does well to pay this high price, but let the people know at least that they are paying it. Let us not awake by-and-by to a tardy repentance. The blow to a great branch of national industry is a heavy one, and ought not to be dealt, if it can be reasonably avoided. If it cannot, then it must fall; the fisheries must yield to the inevitable, and the part must suffer for the whole . . . (so that) the matter be in the best possible shape. So great a price is not to be paid for an equivalent of doubtful value, or for benefits which could be purchased at less a cost in any other way.⁶⁹

On the other hand it was the considered opinion of the Chicago Evening Mail that the treaty should be ratified:

. . . notwithstanding the objections of the mackerel fishermen of New England. The Government of Great Britain will do the same thing, just as regardless of the objections of the people of Nova Scotia, New Brunswick, or New Foundland.⁷⁰

On May 18, 1871 The Nation, a weekly, edited by E.L. Godkin, carried a fine editorial on the treaty as it was before the Senate. It is of importance to note that James Bryce considered the Nation "the best weekly not only in America but in the world".⁷¹

69 Ibid.

70 May 20, 1871.

71 R. Ogden, Dictionary of American Biography, v. 7 pp. 350, the article on E.L. Godkin. For a more complete account see Godkin's Life by the same author, Rollo Ogden. It is also of some significance to know that Godkin was British-born and sympathetic to British interests.

Whether such extravagant praise was justified is not the question now. However, we do know on good authority that this periodical commended itself to an intelligent reading public by its range of scholarship, breadth of view and high moral tone.⁷² Consequently any statement on the treaty would have great weight - where weight and influence counted most. The tone of the article was definitely favorable:

In signing this treaty Great Britain has virtually said: "We were wrong". But furthermore, the adoption of the doctrines and rules of international law which this convention contains - doctrines for which the United States had contended from the first - makes a decision by the arbitrators in our favor absolutely certain.⁷³

A similar opinion was confirmed by the New York World which considered "the new rules of law with their retroactive operation as the soul of the treaty".⁷⁴ "Sane ratification" was also urged on the same grounds by the New York Evening Post.⁷⁵ These new rules and "their certain effect" were also discussed editorially by the New York Herald. First the organ suavely lauds the "patriotic and conciliatory spirit which governed both sides of the Commission".⁷⁶ Then sympathetic understanding is offered to

72 Ibid. passim.

73 The Nation, May 18, 1871.

74 May 18, 1871.

75 May 18, 1871.

76 May 18, 1871.

England who is tempted to complain "that these rules cannot be applied to the Confederate Anglo-rebel cruisers, . . . however we have nothing to complain of in the agreement; for if England is satisfied with the shadow, we ought to be satisfied with the substance of the principles involved."⁷⁷ In an editorial overflowing with praise of the treaty the Baltimore Sun also stresses the importance of the "intent" and "due diligence" clauses.⁷⁸

"DUE DILIGENCE" CLAUSES

Frequent reference by the press to the "due diligence" clauses seems to demand that some special consideration be given to this phenomenon of the Washington Treaty. Moreover, since these three clauses or stipulations of the treaty clearly reveal the fundamental issues underlying the whole diplomatic controversy, it will be of more than ordinary value to cite and comment on them. They read as follows:

That a neutral government is bound:

First, to use due diligence to prevent the fitting out, arming or equipping within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or to carry on a war against a Power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above,

⁷⁷ Ibid.

⁷⁸ May 19, 1871.

such vessel having been specially adapted, in whole or in part, within such jurisdiction, to warlike use.

Secondly, not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men.

Thirdly, to exercise due diligence in its own ports and waters, and as to all persons within its jurisdiction, to prevent any violation of the foregoing obligations and duties.⁷⁹

A careful analysis of these three rules reveals in explicit terms the principles demanded by the United States and heretofore denied by Great Britain. "If", as an important editorial of the Chicago Tribune points out, "with the law thus affirmed, the facts do not warrant an award in our favor, then it will show that to have resorted to war to maintain a claim so untenable would have been a crime against civilization as great as that committed by Louis Napoleon".⁸⁰

But if we may be permitted to paraphrase a press opinion,⁸¹ no such result of arbitration is expected or desired by Great Britain. Of all the nations in the world she can least afford to

79 Bemis, op.cit.; 409. The Text of the treaty is cited in full here.

80 Chicago Tribune, May 13, 1871.

81 This argumentation is merely a summary of the lengthy editorial appearing in the Chicago Tribune, May 13, 1871.

have a decision adverse to our claims in the Alabama affair. John Stuart Mill well expressed the position of Great Britain when he said: "If these claims were to go before arbitrators, England must earnestly desire that the decision should be against herself, because she could not afford to have the contrary principle engrafted into the law of nations". It seems evident from the text of the treaty that Great Britain seeks settlement of this principle by the arbitration of other nations that it may pass into the code of international law recognized by the principal powers of the earth. The precise conclusion reached by the Chicago Tribune is of some moment:

Even at the worst, should the judgment be against us, the United States will be in the same position as now, but freed from all neutral restraints, and free to furnish ships of war . . . Great Britain is keenly alive to the fact, if she be not liable for the damages committed by the Alabama, the first time she is engaged in a war, a hundred "Alabamas" may find their way to the ocean from American ports, to prey upon English commerce.⁸²

SECRET SESSIONS CONTINUE

Failure of the Senate to reach an agreement caused the secret sessions to continue. For long hours the merits and demerits of ratification were discussed. Meanwhile, the press con-

82 Chicago Tribune, May 13, 1871.

tinued to carry on its vigorous campaign for a speedy ratification. To this end the Boston Daily Advertiser featured a lengthy editorial entitled "Treaties of Washington 1842 - 1871". It painted a glowing picture of Webster's earlier efforts, and of the manifold benefits which resulted from the 1842 Treaty that bears his name. But now "even greater benefits are our own", if we but ratify the treaty now before the senate. It was a clever a fortiore argument and undoubtedly had its own peculiar influence in persuading the Senate to action. The article brought out the striking fact that:

in the earlier treaty (1842) Mr. Webster had boasted that for its ratification it received 5/6 of the votes of the whole Senate, a greater majority . . . than was ever before found for any disputed treaty.⁸³

Then followed a well-knit appeal that was at one and the same time good logic and good psychology:

If a treaty is to be ratified at all, the greater majority by which it is ratified the better, for the sake of the moral influence in favor of substantial friendship and good will which the hearty expression of approbation carries with it.⁸⁴

This fine bit of reasoning was seconded by a spirited, flag-waving editorial of the Indianapolis Journal:

83 May 20, 1871.

84 Ibid.

This treaty of Washington is one of the highest triumphs of civilization. Its effects upon the two nations interested will be good, and its far-reaching results as an example to other nations will redound to the permanent welfare of mankind.⁸⁵

Two days before the actual ratification of the treaty by the Senate, two New York journals carried editorials that were interesting insofar as they revealed the real motives for the treaty. The New York Tribune elucidated the question of "retroactive principles". Their adoption was hailed as a "triumph of American principles and diplomacy".⁸⁶ On the other hand "while England yields the indefensible position she formerly held . . . , she gains substantially in guarantees of future peace and security."⁸⁷

The New York Herald was most frank in pointing out the precise reasons why Great Britain made the treaty.⁸⁸ Were one inclined to list these reasons in dramatic fashion, a fine prologue to Britain's action could be written; the action would begin at Bull Run. For England the Northern defeat at Bull Run foreshadowed the breaking up of the great American union into two or three republics like those in South America. Moreover it was

85 May 18, 1871.

86 May 22, 1871.

87 Ibid.

88 May 22, 1871. The material for the following paragraph is drawn from a long editorial in the New York Herald, May 22, 1871.

England's aim, so intimidated the Herald, that our institutions would be brought into disgrace among all the nations to the advantage of the "Divine Right of Kings" theory, whereby England might hope to gain practical control of political and commercial affairs in North America. While England cherished this hope within her heart, France at the very same time had her eye glued on this country so torn with civil strife. Each day dreams at the French court became more vivid. Certainly armed occupation and an imperial protectorate in Mexico would be a fine stepping stone to actual control of a tottering United States government.

Fate ruled otherwise. In a few short moments the brief affair under the famous "Appomattox Apple Tree" destroyed all those great imperialistic expectations of England and France. Louis Napoleon, giving up his grand Mexican plans, retired from North American soil; England was forced to do some explaining; she protested that she was honest in her neutrality, and that she felt real joy in the success of the Union cause. But it was not until the downfall and outright surrender of the Confederacy that the "Alabama Claims" appeared in their proper light. The English Foreign Office made out new agenda. First among the items was a new diplomatic policy towards the United States, a policy calculated to win American peace and good will.

In a striking conclusion the New York Herald underscores the

telling importance of international politics as the leading factor in the Treaty of Washington:

Thus we may safely assume that we are in no small degree indebted to the armies of Germany for England's satisfactory recognition, at last, of our Alabama Claims. In this view there is something amusing in the thought that we may trace this treaty of Washington to the Emperor Napoleon's quarrel with King William over General Prim's nomination of a Hohenzollern as King of Spain! But for that quarrel there would have been no war, and Napoleon might have been this day the recognized arbiter of Europe, and still so closely bound up in his "entente cordiale" with England on American affairs as to make England as imperious and as exacting now towards the United States as under Palmerston and Russell. With the fall of Napoleon on the other hand and with the restoration of the French Republic, and with the significant agitation and progress of popular ideas which have been followed in England, we have the results before us in the satisfactory peace arrangements of the Joint High Commission.⁸⁹

It is small wonder then that the Herald held as pure buncombe the opinion that the Washington Treaty was due to "great unifying and Christianizing forces".⁹⁰ To the Herald it seemed more in accord with the evidence to say that "England has gladly come to the terms of an 'entente cordiale' with the United States

89 May 22, 1871.

90 New York Herald, May 22, 1871.

because her late 'entente cordiale' with France is gone, and may never more be available as a balance of power against us".⁹¹

As the work of the Committee on Foreign Affairs neared completion, and the day for the Senatorial vote was at hand, more pressure was brought to bear on the fisheries group. This class of opponents was urged to waive their objections in favor of immediate ratification. The Boston Daily Advertiser which "felt deeply sorry for the great hardship apprehended by our fishermen"⁹² did not relinquish her stand for immediate ratification. This organ adopted a very rational position and felt "that we cannot shut our eyes to truth and to national interest out of a too tender regard for our own local advantage".⁹³ On the same day the Springfield Republican announced that "despite Massachusetts' fishermen protests . . . there seems no probability that the treaty will be amended".⁹⁴ Moreover, it was alleged that the "general opposition, finding few or no salient points to illustrate their position, is content to manifest itself by a silent vote".⁹⁵

91 Ibid.

92 May 23, 1871.

93 Ibid.

94 May 22, 1871.

95 Ibid.

It is undoubtedly true that popular opinion in favor of the treaty was growing stronger each day. As we have seen in the ten day period, May 14 to May 24, in their editorials a large majority of newspapers labored to form "public opinion" on the Treaty of Washington. In those days as in our own, it was commonly believed that "the newspapers of the country are a tolerably reliable indicator of the temper of the people upon any given proposition".⁹⁶ It seems safe to say that citizens in 1871 were convinced, (and many share their conviction today) "that no important matter submitted for the determination of our authorities escapes the criticism of the public voice, . . . and its fate is predetermined by the people who are the constitutional sovereigns of the Government".⁹⁷

Thinking people will be inclined to agree with the editor of the Indianapolis Journal who held in high esteem both "public opinion", and proper generalizations based on this source of information. It is the pleasant task of the historian to recapture, as far as he is able, the spirit of another day. Our insight into the 1871 mind has been made possible by the press of the day. Perhaps one editor had a premonition of our sentiments when he wrote:

96 Indianapolis Journal, May 15, 1871. A cogent editorial on public opinion and the ratification of the treaty".

97 Ibid.

It has been interesting to note the reception of the treaty with England by the American press. The tone of the leading papers is noticeably favorable to its ratification, and we may confidently look for an affirmative verdict from the Senate . . .⁹⁸

Further on in the same paper we can discover another fine reflection of American opinion:

. . . (England's) apology is not to be considered a small matter. It is the key which unfastens the dead-lock heretofore existing, and admits us to a consideration of the remainder of the convention in a proper spirit.⁹⁹

It has already been pointed out that papers hostile to the work of the High Commission based their opposition on the conviction that the treaty settles nothing; that it merely provides for arbitration, and in such arbitration America is permitted to name one judge in five in one case, and one in three in the other.¹⁰⁰ In the light of other evidence already presented such a statement of the case is manifestly unfair. Further proof that the above opinion was considered unjust can be seen in the following excerpt:

. . . for coupled with board of arbitration, is the settlement of certain rules and principles which makes the finding of negligence against Great Britain the merest matter of form . . . with the additional agreement

98 Ibid.

99 Ibid.

100 This is a summary of the press opposition as quoted in the Indianapolis Journal, May 15, 1871.

that Great Britain is willing to be adjudged by these clauses (viz. Due Diligence) retroactively.¹⁰¹

The unqualified opposition to the treaty by "loyal" Democrats continued unabated, nevertheless the futility of this type of opposition was well expressed in a nicely balanced editorial:

The little wind raised by the Washington Patriot, by its article presaging the unanimous opposition of the Democratic Senators to the convention, has blown by without making too much stir. The New York World endorses the treaty strongly, and Justice Nelson, one of the Commissioners, a Democrat in whom there is no guile, will be sure to have as much influence with his friends in the Senate as the editor of the Patriot.¹⁰²

A final and telling blow was directed against opposition offered by sentimental Americans whose opinions were founded on the fanciful declaration of damages made by Sumner in his celebrated speech on the Johnson-Clarendon treaty. The refutation was voiced by a representative editorial which says the present treaty:

is . . . all that sober, earnest, practical men have thought possible. England has confessed her wrong and agreed to pay for it, and also has agreed to be governed in the future by the rules on international law for which we have contended from the first.¹⁰³

101 Ibid.

102 Ibid.

103 Ibid.

From this vast accumulation of evidence one conclusion emerges as certain. Much the greater majority of the American press agreed that the general satisfaction of the public would avail; and that the treaty would be ratified without amendment.

11TH HOUR SUPPORT AND RATIFICATION

At the "11th hour" support for the treaty came from an unexpected quarter. On May 23, 1871 the Philadelphia Public Ledger printed a letter from Reverdy Johnson to Senator Bayard. It was an urgent appeal for ratification. A summary of the communication came to this:

. . . such a settlement is demanded by the prosperity and honor of both nations. He (Reverdy Johnson) says that in the absence of arbitration there are only two courses to be pursued, to wit, either continued submission to various wrongs, or else a declaration of war.¹⁰⁴

Thirteen gruelling, action-filled hours were needed to ratify the great Treaty of Washington. This highly important bit of diplomatic history was made on May 24, 1871 between the hours of 10:00 A.M. and 11:00 P.M. Press reaction to this momentous event began on the very next day.

The New York World was happy over the actual ratification

104 Philadelphia Public Ledger, May 23, 1871. For a discussion of Bayard's attitude see C.C. Tansill's Congressional Career of Thomas F. Bayard, 53-58.

and tacked on the reminder that:

to General Grant belongs the credit of not having thwarted his Secretary of State, but if he has any other merit in connection with the treaty, the public is unacquainted with the grounds on which it rests.¹⁰⁵

Two important members of the press analyzed the senatorial vote as a definite reflection of party allegiance. The New York Herald presumed "that with one or two exceptions, the whole vote in the affirmative is Republican, and the whole vote in the negative is Democratic, the treaty being considered on both sides in a party light".¹⁰⁶ An apparent paradox was pointed out insofar as the Democratic opposition "followed the argument of General Butler, a Republican, while the Republicans in their support were strengthened by the approving letter of Reverdy Johnson, a Democrat".¹⁰⁷ In the light of this vote the Herald considered the "treaty as more than a party measure. It is a general bond of peace".¹⁰⁸ A more searching analysis was offered by the Springfield Republican. For the sake of the record Bowles incorporated into his editorial an account of the Senate vote:

105 May 25, 1871.

106 May 25, 1871.

107 Ibid.

108 Ibid.

11 Democrats and 1 Republican voted against the Treaty.

1 Democrat and 49 Republicans voted for the Treaty.

2 Democrats and 6 Republicans were absent.¹⁰⁹

Commenting on these figures Bowles said:

Several of those who spoke against the treaty on some of its details, voted for it as a whole, or paired off in its favor. Among these were Cobbett (Ore.) and Morrill (Vt.), Bayard (Del.) and Vickers (Md.) . . .¹¹⁰

The action of the Democratic party in voting against the treaty was soundly criticized by more than one paper. The very frank question of "why" was asked by the New York Tribune:

Why did the Democratic party vote against the treaty? Even the World, a democratic organ, had called the treaty an "honorable thing" . . . therefore . . . Why?

Let them (the Democrats) confess that they don't want to be on good terms with England; that they want an excuse for liberating Ireland someday, and perhaps seizing a few disaffected colonies, and getting their hands into every European row to which Great Britain may be a party.¹¹¹

Bitter though the above indictment may seem, nevertheless it best describes the counsel given by the Washington Patriot which had urged a distinctively American policy "which for a half of

¹⁰⁹ May 26, 1871.

¹¹⁰ May 26, 1871.

¹¹¹ May 26, 1871.

century has been a terror to monarchical government".¹¹² Following the lead of the New York Tribune was the Baltimore Sun which concluded that "generally the press of the country of all sections and parties have in the main approved the treaty".¹¹³ In proof of their contention the editors of the Sun (Baltimore) point out how two bitter opponents, namely, the New York World and the New York Tribune "buried the hatchet":- "The N.Y. World--democratic; and the N.Y. Tribune--republican . . . have united in supporting the treaty".¹¹⁴ Because it followed party lines and personal interests instead of objective truth and the common welfare the Washington Patriot was severely rebuked. A nationalistic outlook was adopted by the New York World: "It matters not by whom an agreement is made which promises such beneficial results".¹¹⁵

In the mid-west where the same high tone of nationalism and patriotism prevailed, the ratified treaty was hailed as "the new and munificent bond of amity"¹¹⁶ between England and the United States. The assurance was given that "the entire affair must be

112 Quoted in the New York Tribune, May 26, 1871.

113 Baltimore Sun, May 27, 1871.

114 Ibid.

115 Ibid.

116 Chicago Evening Post, May 25, 1871.

looked upon by the nations of Europe as the noble example of pacific settlement".¹¹⁷

Despite continued pressure by the "interested" New England fishermen, the Boston Daily Advertiser remained loyal to the treaty until it was duly ratified. Two days later a very fair and honest estimate of the whole matter appeared in the Advertiser's editorial column:

. . . the treaty does not contain all we had a right to ask, -- perhaps not all that might have been obtained . . . but to reject it would none the less have been a great calamity.

. . . the vote of a generous majority of the Senate has expressed the sentiment of the nation at large. The Government and the people as a whole, seem united in their approbation. This state of affairs gives to the Treaty the moral aspect it ought to wear, if its work is not to be left incomplete. The high contracting powers appear to be consummating not only a business contract but a measure of substantial unity.¹¹⁸

Even with the tide of public sentiment running strongly against them, the Democrats gave out a press release that in the guise of an appropriations measure "they were going to carry the fight against the treaty to the House of Representatives with the hope of making it a rallying cry during the next campaign".¹¹⁹

117 Ibid.

118 Boston Daily Advertiser, May 26, 1871. Underscoring added.

119 New York Tribune, May 27, 1871.

The absence of any editorial comment on the ratification of the treaty, made the Charleston Courier and the Louisville Courier-Journal conspicuous in their silence. However, "Leo" (a special correspondent to the Charleston Courier), under date of May 25 wrote a carefully worded despatch to his paper. In general he approved the treaty;¹²⁰ he concluded his "special" with an interesting political sidelight: "It is regretted that Senator Casserly of California opposed the treaty, as he did, in a long and powerful argument, because he represents, in part, the Irish Catholic element of this country as well as the National Democratic Party".¹²¹ Two days later "Leo" sent a second most informative despatch to the Courier and it was published on May 30th. A close reading of this despatch reveals an angle upon which everyone else is silent, to wit, the financial gain to be reaped from the new treaty. Leo says:

The conclusion of the treaty will be of great benefit to the public credit of the U.S. It will remove all prospects of a foreign war, the only thing that would threaten the solvency of the government, inasmuch as another civil war could hardly occur in the same generation. It is expected a demand will arise in Europe for new 5% and 4½% and 4% bonds. Secretary (of the Treasury) Boutwell is about

120 Charleston Courier, May 29, 1871.

121 Ibid.

to send some of his assistant officials of the Treasury over to Europe to do what they can to facilitate the negotiation of the loan.¹²²

Not until the sixth day after the Senate's decision that the treaty should become law did the Louisville Courier-Journal make editorial acknowledgement to the fact. Commenting upon the radical diplomacy of the Grant administration the Courier-Journal said the equivalent of "sour grapes"; the paper, however, did not despair:

But let us hope that it (the treaty) be ratified at once by Her Britannic Majesty so that we all may get our Alabama claims, and be permitted to catch in the Canadian waters all the mackerel, herring, cod and cat-fish, shad, salmon and sardines that we can possibly consume. When these aims shall have been achieved, our government will have nothing to do but look after the Klu Klux, and have a high old time at Long Branch.¹²³

Such was the picture on this side of the Atlantic. Democracy had had her fling. From January to June an independent American press frequently aired treaty issues, sometimes to the joy, sometimes to the sorrow of the government. On the other side of the ocean a similar picture was equally as engaging, but press battles were no less frequent. And on the very day on which our Senate voted for ratification, the Philadelphia Inquirer

122 Charleston Courier, May 30, 1871.

123 Louisville Courier-Journal, May 30, 1871.

carried an editorial which "highlighted" the treaty "in Parliament":

Russell would like to have an opportunity to prevent the treaty from being ratified. Earl Granville and Grey refused to give any pledge that the treaty should not be ratified before 12 June, in order to allow Parliament to discuss it. All that was granted was that Parliament might have the right to discuss the treaty after it was ratified, or in other words, that after the deed is done, the lords and gentlemen of the British Parliament may have full opportunity to indulge in as much growling as is necessary to work off the constitutional spleen which periodically afflicts John Bull.¹²⁴

Now that we have marshalled the evidence, let us turn to consider the reaction and interpretation of American historians.

124 May 24, 1871.

CONCLUSION

A goodly number of leading American Historians¹ agree that the Treaty of Washington and the peaceful adjustment of the "Alabama" claims were events of cardinal importance and of lasting value. Apart from this sweeping generalization most historical writers are strangely silent. Whatever the reasons, the fact remains that it has been left to our generation to investigate the causes and circumstances of so significant an event in our national history. Previous attempts to determine even those general factors which have made possible the Treaty of 1871 have been few. Such investigations yielded this two-fold result: Some have attached considerable importance to the fact that England was caught in the tight net of European politics, and have accepted this as the principal explanation of the extremely amicable settlement of May, 1871; others, while admitting the

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1. Among the more familiar names of those recognized scholars who are in agreement in this matter we might mention J.S. Bassett, E. Channing, M. Curti, A.B. Hart, L. Sears, A.M. Schlessinger, G.M. Stephenson and C. Wittke. These men as well as others have spoken in highly laudatory terms about the treaty.

validity of this interpretation, were quick to add that "the settlement was effected on business principles".² And beyond this no study from the American point of view has been undertaken. These two interpretations, international politics and economic necessity, although valid in themselves, are, nevertheless, quite inadequate and throw but faint light on the actual background of the Treaty of Washington.

In view of the need for further research, and for the investigation of sources yet untapped, this monograph was undertaken. The evidence has been collected from a selected group of leading American newspapers. This selection, though adequate, has by no means been exhaustive. The papers chosen represent the different sections of the country, and the opinions voiced are those of various groups within these sections. The months from January to June, 1871 were the period under examination. Unless we are gravely in error, the clear mind and the devoted heart of the American people have been eloquent witnesses, and their testimony during those months is of more than ordinary significance, and hence worthy of careful consideration. It remains, then, by way of summary and conclusion, to look for broad patterns sufficiently common in the evidence to justify their being

2 C.F. Adams, The Treaty of Washington: Before and After, (Houghton-Mifflin), 1902; 177.

cast into significant generalizations on how the Treaty of Washington came about, and why it merits the historical fame it now enjoys.

As a start, let us consider the role of territorial factors, and this simply because American geography played no little part in the successful enactment of the Treaty. On the Atlantic seaboard the vital interests of the New England fishermen were not to be overlooked. It is undeniable that strong, rough fishermen idly hugged the shore, patient in their hope of work with security. The press assured us that this picture was not hidden from the eyes of sympathetic public servants in Washington, and much less did it escape the consideration of our conscientious Secretary of State, Hamilton Fish. What was well known in Boston was equally well known in Washington, namely, that unless our differences with England were settled peacefully, fishing schooners would rot at their moorings, and fishermen themselves would face starvation. This battle for life was a force which demanded some settlement without delay. Another geographical factor which influenced treaty negotiations not a little was the beautiful Saint Lawrence River. It happened to be a main link in a chain of natural waterways connecting Chicago and the middle west with the European ports of trade. During this period of Anglo-American friction the St. Lawrence was closed to all American

traffic, and direct trade with Europe ceased. Is it no wonder, then, that the financial loss and hardship suffered by the middle western states grew until it became a powerful incentive to a peace which would mean free trade on the St. Lawrence? The press of the mid-west was loud in its demands for action, and it held before the eyes of its readers an "open" St. Lawrence as the fruit of peace with England. If the St. Lawrence had been open to free navigation, or if the river simply did not exist, would it be mere speculation to say that the Chicago area may well have contented itself with a mere academic interest in this whole diplomatic controversey?

Personalities played no small part in effecting an agreement acceptable to both countries. Public opinion testifies that the exceptionally competent personnel on both sides of the Joint High Commission figured largely in the successful solution of our difficulties. Nor were American citizens permitted to forget that the common sense, dignified diplomacy of Hamilton Fish assumed even greater value, if, by way of contrast, the failures of Reverdy Johnson and the ravings of the undisciplined Charles Sumner were recalled. Conservative editors felt justified in pointing out that the American diplomatic corps was a citadel of strength, provided it was left unmolested by other branches of the government. Consequently no little credit was given to Mr. Fish whose

dexterity kept the meddling and military minded President Grant out of the council chamber. It is now accepted that Fish steered Grant into less dangerous occupations, while he himself guided the sessions of the Joint High Commission.³ There is ample evidence that the public put complete confidence in the conduct of Mr. Fish. Americans expected an equitable treaty from the hands of this consummate statesman. The Treaty of Washington fulfilled their fondest hopes.

On the other hand the representatives of the British government were acclaimed with equal appreciation. The American people felt gratified that the enlightened liberalism of the Gladstone ministry made possible all the important negotiations preliminary to peace. For only too recently had the proud and unbending spirit of Lord Russell nullified all attempts at reconciliation based on compromise and a British expression of regret. The warm reception accorded to the British High Commissioners upon their arrival in this country was a candid recognition of their ability. Consequently the evidence seems most certainly to warrant the conclusion that the persons selected by both governments were so well qualified that their very selection was a guarantee of a good treaty based on justice and common sense.

3 Bailey, op.cit., 415.

A third generalization growing out of the evidence is the influence which domestic politics exercised on the final acceptance of the treaty. Following party lines the press was divided into two camps. On the one side the Republican newspapers clamored consistently for a settlement that would be just, honorable and lasting. And in this plea they were joined by the independent press of the country. To a people so recently torn with civil strife the fact was brought home that at last national life was flowering and that our country was emerging into a period of new national prosperity and international importance. Republicans and independents alike urged that nothing should hinder this progress. Moreover, since our wealth and credit were so intimately bound up with English and European commerce, the incumbent Republican party was most desirous of a swift and amicable settlement of all outstanding difficulties. In a burst of patriotic fervor Republican partisans went so far as to hail Grant as an enlightened statesman, the memory of whose genius would be immortal, should Anglo-American friendship be cemented during his administration. Such editorializing, motivated though it was by political propaganda, greatly enhanced the possibility of a successful negotiation.

Yet, in the other camp, the Democrats with their press campaign almost wrecked the work of the Joint High Commission.

Wedded to the principle that "nothing Republican was good" the Democratic press viewed the treaty in a different light. Their opposition, generally speaking, was based on the hope of regaining national political power and patronage. To this end the treaty was indicted as an useless concession made under a weak and compromising Republican administration. While berating their political opponents, the Democrats were sometimes guilty of slurs on the English character. More often, however, outright opposition was modified to a policy of delay. Democrats realized that a rejected treaty in 1871 would probably mean war with England and a national crisis such as this would only serve to keep the Republican machine in power. They feared that the axiom: "Never change horses in the middle of the stream" would be applied to Grant as a wartime president. Consequently as it was political prudence for the Democrats to follow a policy of "watchful waiting", party organs, for the most part, gave little or no encouragement to the treaty negotiations. The one remarkable exception to this policy was the New York World, a democratic paper which prided itself on being a staunch advocate of the treaty.

Not far separated from political considerations were other human motives and values which in turn had a marked influence on peace efforts. In the case of the Fenian forays at least, these human motives came within an ace of being a stumbling block to

any method of arbitration. On the Canadian border there were bands of infuriated Irish partisans whose warlike clubs were raised in protest against the violation of Irish rights in the home country. Here in America these sympathizers would hear of no peaceable settlement with Great Britain. Rather they urged and planned a lawless invasion of Canada.

Under this same category of human motives and prejudices falls the bitter enmity of the South to the proposed settlement. A diagnosis of the biased opposition featured by the southern press reveals that fires enkindled by sectional hatred were still smoldering in 1871. It appears that the erstwhile Confederate clung to a remnant of pride in his glorious past. In the eyes of radical Southerners to defeat the treaty would be to avenge partially, at least, their own humiliating submission to northern arms. Nor is it difficult to understand that to the embittered and vanquished Southerner the fishing interests of New England and the commerce of the Mid-West meant nothing. As far as this treaty was concerned, the States were "united" in name only.

Other factors there were whose actual influence on the progress of the treaty was of minor importance. Some had nuisance value only, and for our purposes a catalogue of these factors will suffice. There were the frequent petty feuds of rival editors that served only to obfuscate the real issues under con-

sideration; then the spirit of blind devotion to party principles which carried the unknowing along the path of injustice. Nor did recourse to sarcasm for sarcasm's sake help matters. These and kindred forces were discovered in the nation's press from time to time; yet, neither singly nor collectively could they undo the persistent efforts of both the United States and Great Britain to establish peaceful relations.

It might be objected, with much justice, that no mention has been made of "indirect" or "consequential" claims. To the student of the "Alabama" question this omission might seem to be a serious oversight. Yet such is not the case. For, while it is true that a year after the treaty was signed a great controversy raged over indirect claims, still, during the period under consideration, no one seemed to worry about those fantastic claims. Even the Joint High Commissioners in good diplomatic taste avoided any discussion of this point. In an article written by E.L. Godkin (Nation, June, 1872) there is an excellent indication of public opinion on this specific problem. It should be noted that the article appeared a year after the treaty had been ratified, and a short time after the Geneva Tribunal had decided against the admission of any indirect claims. Godkin's article carrying the title "Public Opinion on the Treaty" is representative, and merits partial quotation. Godkin wrote that the Grant

administration:

. . . conceived the idea of claiming consequential damages in the case, even to the extent of the cost of war and indeed everything for which the wildest imagination in the country ever dreamed of holding Great Britain liable, bringing the claim before the Tribunal in the full certainty that it would be rejected, turning around to the voters and saying: "You see we demanded everything of Great Britain we could think of or that you ever thought of, but the Tribunal has decided against us; there is, therefore, no use in talking about it any further."⁴

It is interesting to note that Godkin puts full blame for this controversy on the rather clumsy way in which the Administration was trying to satisfy what it thought was public opinion:

The public, we assert with confidence, had no expectation of hearing one word more about the consequential damages after the treaty was published, and was perfectly satisfied with any disposition which the American Commissioners made of them. These Commissioners were distinguished jurists in whom the people had thorough confidence, and if they declared that there was nothing to be said about indirect claims, nobody would have mentioned them or have expected them to be mentioned again.⁵

In Godkin's analysis we have a reasonable solution of what otherwise might be a puzzle. Although it was true that much ink was spilt in spirited writings on the indirect claims, still the

4 Nation, June 20, 1872; 401.

5 Godkin, op.cit. 402 ff.

American press in 1871 found no need to do so. The fact of the matter is that the great majority of leading editors by-passed the whole issue. And in this we may imitate them.

One might profitably raise the question: Is there any evident evolution or mental growth in the press attitude on the Treaty of Washington? While the answer is strongly in the affirmative, a distinction must be introduced. As far as party newspapers are concerned a very consistent editorial policy obtained from January to May, 1871, but there was no appreciable growth or change, unless one considers the increasing vehemence with which initial opinions were maintained. However, the independent press manifested a steady growth in the intelligent handling of various treaty issues. In the first class, or the party organs, there were on the one hand the professedly Republican journals. These bespoke nothing but praise for every move of the Joint High Commission and for the actual text of the treaty. On the other hand the Democratic press was consistently hostile.

Dismissing, then, the evident bias manifested by the papers of both political parties, we turn our attention to the independent press of the nation. Here we find, week by week, a more mature handling of the difficult problems confronting the Joint High Commission. Throughout January and early February these papers were strongly suspicious of failure, or at least only

frigid in their hope for success. But the turning point was the release of the Fish-Thornton correspondence on the successful preliminary negotiations. Once the High Commission became a reality, the independent press grew steadily more friendly and more hopeful. Mention of previous unpleasant international incidents disappeared, and all suspicions of new intrigue were quieted. Progressively the editorials become more positive. The benefits of two civilized nations living in peace and justice were extolled, and the savagery of useless warfare condemned. Strong emphasis was placed on the community of interests between two English speaking nations, and simultaneously former estrangements and differences were minimized and even forgotten. It is undoubtedly true that the independent press became increasingly more conscious of the many important issues underlying the "Alabama" settlement. The editorials which appeared during April and May reflected this growth quite clearly. Serious consideration was given to the benefits of international arbitration and to the universal desirability of a fixed code of international law. Moreover, apt arguments were presented on the need of subordinating commercial and sectional interests lest the welfare of the human person and human society be obscured and thus neglected. It is not too difficult to sum up this phenomenal growth in press attitude. Incredulosity yielded to the practical confidence that justice and right reason could prevail. It is the happy fact that under such

circumstances as these the Treaty of Washington was born.

Thus the story behind the Treaty of Washington stands revealed. Not only is its value and importance as a landmark in the history of arbitration confirmed, but also many of the factors underlying the Treaty are now made plain. The evidence permits us to conclude that the peaceful adjustment of the "Alabama" claims was not due solely to the press of European politics. Nor was the English love for pragmatic and expeditious diplomacy the only guiding spirit behind the Treaty of Washington. Rather it is more proper to say that the voice of public opinion has established the truth of the generalization: that rarely does a single cause operate with equal force in all sections of a country or in the minds of all in any one district. For, if it may be said that a complexity of human agents with varying human motives and values was responsible for the war for American independence and the War of 1812, so likewise may the same opinion be expressed about a third Anglo-American conflict which was forestalled by the Treaty of Washington on May 24, 1871.

When one surveys the present turmoil, perhaps no more fitting conclusion could be made to this study than to call attention to the excellent observation of F.L. Godkin on this very Treaty of Washington. He maintained that "if we knew more of the facts of the foreign policy of the government, and even two

or three of the great newspapers got in the habit of discussing them, not for the good of the party, but for the enlightenment of the nation, we should have no more imbroglios . . ."⁶ After seventy-five years this sober observation still carries a lesson instructive to historian and statesman alike: An enlightened public will tend to choose peace over a conference table rather than death and misery on the field of battle.

6 Nation, June 20, 1872; 402 (Underscoring added).

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Note: The thesis is the result of evidence collected from leading American newspapers. The period under examination was January - June, 1871. In order to gain an adequate cross-section of public opinion the following daily newspapers were consulted, and the investigation centered about editorials:

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1. Baltimore Sun
2. Baltimore American

Boston, Massachusetts

1. Boston Daily Advertiser
2. Boston Journal

Chicago, Illinois

1. Chicago Tribune
2. Chicago Evening Mail
3. Chicago Evening Post

Charleston, South Carolina

1. Charleston Courier

Cincinnati, Ohio

1. Cincinnati Gazette

Indianapolis, Indiana

1. Indianapolis Journal
2. Indianapolis News
3. Indianapolis Sentinel

Louisville, Kentucky

1. Louisville Daily Ledger
2. Louisville Courier Journal

New York City, New York

1. New York World
2. New York Evening Post
3. New York Daily Tribune
4. New York Times
5. New York Herald

Philadelphia, Pennsylvania

1. Philadelphia Public Ledger
2. Philadelphia Inquirer

Springfield, Massachusetts

1. Springfield Republican

Washington, (D.C.)

1. Washington Patriot

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Note: This list includes standard works consulted for the historical background. More specific and detailed references will be found in the proper footnotes.

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APPROVAL SHEET

The thesis submitted by Harry Joseph Sievers, S.J.
has been read and approved by three members of the
Department of History.

The final copies have been examined by the director
of the thesis and the signature which appears below verifies
the fact that any necessary changes have been incorporated,
and that the thesis is now given final approval with refer-
ence to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment
of the requirements for the Degree of Master of Arts.

May 31, 1947
Date

Charles H. Metzger H.
Signature of Adviser